

## CLIFTON BUDD &amp; DEMARIA, LLP

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November 2, 2007

Honorable Alvin K. Hellerstein  
 United States District court  
 Southern District of New York  
 United States Courthouse  
 500 Pearl Street, Room 1050  
 New York, New York 10007

Re: Benitez v. Lemle & Wolff, Inc.,  
Docket No. 07-CV-2929-9(AKH)

Dear Judge Hellerstein:

2919

As you are aware, this firm and Howard I. Rothschild represent the Defendants in the above-referenced matter. The parties have discussed settlement and believe that they are close to reaching an agreement in this matter, but need some assistance. The parties also believe that the Court could facilitate this process. Accordingly, the parties request a settlement conference with the Court. All of the attorneys and the respective principals are available on the following dates and times: November 9, after 1:30 P.M., November 13, after 1:30 P.M., November 14 in the morning, any time on November 19 and November 20 after 1:30 P.M. Please advise if the Court is available on any of those dates and times. If the Court is unavailable, then the parties respectfully request that your honor refer this request to a Magistrate Judge.

Thank you for your attention to this matter.

Respectfully submitted,



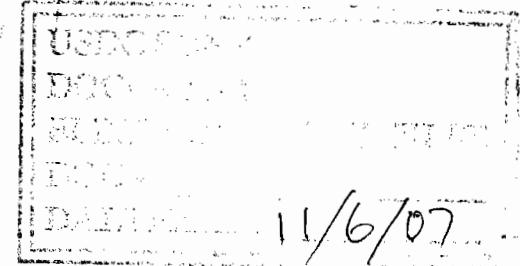
Daniel C. Moreland

cc: Howard I. Rothschild, Esq. (via facsimile)  
 Hollis V. Pfitsch, Esq. (via facsimile)

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Respectfully submitted,  
 Daniel C. Moreland  
 November 6, 2007  
 James C. Francis  
 11/6/07  
 (Signature)